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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/003,290	12/06/2001	Jung Jin Ju	P67379US0	5077
JACOBSON HOLMAN, PLLC. PROFESSIONAL LIMITED LIABILITY COMPANY 400 Seventh Street, N.W. Washington, DC 20004			EXAMINER	
			CALEY, MICHAEL H	
			ART UNIT	PAPER NUMBER
			2871	
			DATE MAILED: 01/15/2004	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(s)				
## Michael H. Caley 2871 ## The MAILUNG DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILUNG DATE OF THIS COMMUNICATION. Exercision of time image for enables under the probleme of 3 CPR 1.135(a). In ne event, however, may a reply be timely filed Exercision of time image for enables under the probleme of 3 CPR 1.135(a). In ne event, however, may a reply be timely filed Exercision of time image for enables under the probleme of 3 CPR 1.135(a). In ne event, however, may a reply be timely filed ## The period for reply appendix above, the maximum of 3 CPR 1.135(a). In ne event, however, may a reply be timely filed ## The period for reply appendix above, the maximum adatatory pricely and pays and ville epits (50). MONTHE file the mailling date of this communication. The properties of the period between the mailing date of this communication. The properties of the period between the mailing date of this communication. The properties of the probleme is a file of the communication. The properties of the second probleme of the probleme of the communication is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Queyle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims ## Application is a probleme of the probleme of the application. ## Claim(s)18,17 and 18 is/are pending in the application. ## Claim(s)18,17 and 18 is/are rejected. ## Claim(s)18,17 and 18 is/are rejected to be probleme of the probleme o		10/003,290	JU ET AL.				
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THE MAILING DATE OF THIS COMMUNICATION. Edentions of them may be variable under the proteins of 37 CFR 1.136(a). In no event, however, may a reply be timely filled offers 59; (e) MoNITY from the mailing date of this communication. If the period for triply specified dozen is less than thin (20) days. In a statistary minimum of thin) (30) days will be considered interly. Folium to ruply specified dozen is less than thing (30) days. In a statistary minimum of thin) (30) days will be considered interly. Folium to ruply within the sol or oxinended period for reply with) by statistic, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office laster than three months after the mailing date of this communication, even if timely filled, may reduce any counted patient term adjustment. See 37 CFR 1.704(b). Status 1)							
1) Responsive to communication(s) filed on 17 September 2003. 2a) This action is FINAL. 2b This action is non-final. 3) Since this application is in condition for allowance except for formal matters, prosecution as to the ments is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-8.17 and 18 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-8.17 and 18 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action. 12) The oath or declaration is objected to by the Examiner. Priority under 35 U.S.C. §§ 119 and 120 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). *See the attached detailed Office action for a list of the certified copies not received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. Attachment(s) 10 Notice of References Cited (PTO-892) 21 Notice of Informal Patent Application (PTO-152)	THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
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DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-8, 17, and 18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Applicant has amended claims 1 and 4 to specify the polymeric waveguide as having a parallelogram-shaped metal plate electrode between a polymeric bottom cladding and a polymeric top cladding. Applicant states that the amendment is supported on pages 7 and 8 of the original specification and figures 1 and 3 of the drawings. The description of the electrode in the specification and drawings, however, does not fully specify the shape and placement of the electrode as amended in claims 1 and 4. For instance, no description of the shape of the electrode exists in the specification or the drawings. From the original disclosure, there is no evidence to suggest that an electrode shape was contemplated in which the angles of the adjacent edges would be greater than or less than 90 degrees as is part of the claimed subject matter in a parallelogram shape. Additionally, the placement of the electrode as proposed in the amended claim between a polymeric bottom cladding and a polymeric top cladding is not fully disclosed.

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Applicant only discloses the placement as between the cladding and the top core (Page 8 lines 5-9). From the original disclosure, there is no evidence to suggest that an electrode placement between the core and the bottom cladding was contemplated at the time of original filing.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael H. Caley whose telephone number is (703) 305-7913. The examiner can normally be reached on M-F 8:30 a.m. - 5:00 p.m..

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703) 305-3492. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

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